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Attorneys for Defendant,

99 CENTS ONLY STORES LLC

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

TATIANA MARTINEZ SANTALLA, an
individually,

Plaintiff,

vs.

99 CENTS ONLY STORES LLC; KARLA
LNU; DOE PROPERTY OWNER I-V; ROE
PROPERTY OWNER I-V; DOE
JANITORIAL EMPLOYEE I-V; ROE
JANITORIAL COMPANY I-V; ROE
MAINTENANCE COMPANY I-V; ROE
PROPERTY MANAGEMENT COMPANY
IV; DOE MAINTENANCE WORKER I-V;
DOE PROPERTY MANAGER I-V; DOE
EMPLOYEE I-V; ROE EMPLOYER I-V;
and ROE COMPANIES I-V, inclusive, jointly
and severally
Defendants.

CASE NO.: 2:22-cv-00824-CDS-DJA

**STIPULATED DISCOVERY PLAN
AND SCHEDULING ORDER**

**SUBMITTED IN COMPLIANCE
WITH LR 26-1(B)**

**SPECIAL SCHEDULING REVIEW
REQUESTED**

Pursuant to Local Rules 26-1(b), the parties respectfully submit the following stipulated discovery plan and jointly request that the Court: 1) approve this plan, and 2) implement the plan as a scheduling order. The FRCP 26(f) conference was held on June 15, 2022, by Gina M. Corena, Esq., for Plaintiff,

TATIANA MARTINEZ SANTALLA and Andrew Guzik, Esq., for Defendant, 99 CENTS ONLY STORES, LLC. The parties propose the following discovery plan:

1. **Subjects on which discovery may be needed (Fed. R. Civ. P. 26(f)(3)(A):**

Discovery will be needed on the facts and circumstances surrounding the allegations in the complaint, namely the issues of Defendants' liability and damages suffered by Plaintiff.

2. **Discovery Cut-Off Date (Fed. R. Civ. P. 26(f)(3)(A), LR 26-1(b)(1)):**

a) **Date of Defendant's answer or appearance (LR 26-1(b)(1)):**

Defendant filed its Notice of Removal on **May 24, 2022**. Defendant filed its Answer on **April 27, 2022**.

b) **Statement of the reasons why longer or different time periods should apply to the case (LR 26-1(a)):**

The parties request an extended discovery schedule for this case because of the complexity of the case, the number of medical providers, and the anticipated delays with the COVID-19 Pandemic as well as obtaining verified medical specials. Therefore, rather than the standard discovery period of 180 days, the parties request that the scheduling order allow for 270 days of discovery from the date of the Rule 26(f) conference in order to avoid having to request an extension from this Court in the future. This request for additional time is not meant for the purposes of delay or with any dilatory motive.

c) **Proposed discovery cut-off (LR 26-1(b)(1)):**

Consistent with § 2(b) above, discovery shall close on: **March 13, 2023**.

3. **Amendment of Pleadings and Adding Parties (LR 26-1(b)(2)):**

Motions to amend pleadings and add parties shall be filed no later than ninety (90) days before the close of discovery: **December 12, 2022**.

4. **Disclosures (Fed. R. Civ. P. 26(f)(3)(A); LR 26-1(b)(3)):**

a) **Initial disclosures:**

Initial disclosures shall occur on or before: **June 25, 2022**.

1 **b) Initial expert disclosures:**

2 Pursuant to Fed. R. Civ. P. 26(a)(2)(D)(i), initial expert disclosures shall be due no later than sixty
3 (60) days before the close of discovery: **January 12, 2023.**

4 **c) Rebuttal expert disclosures:**

5 Pursuant to Fed. R. Civ. P. 26(a)(2)(D)(ii), rebuttal expert reports shall be due no later than thirty-
6 one (30) days before the close of discovery: **February 13, 2023.**

7 **5. Dispositive Motions (LR 26-1(b)(4)):**

8 The deadline for filing dispositive motions shall be thirty (30) days after the close of discovery:
9 **April 12, 2023**
10 ~~February 13, 2023.~~

11 **6. Joint Pre-Trial Order (LR 26-1(b)(5), (6)):**

12 The joint pre-trial order shall be filed no later than thirty (30) days after the date set for filing
13 **May 12, 2023**
14 dispositive motions: ~~March 13, 2023.~~ The joint pre-trial order shall include the disclosures required by
15 Fed. R. Civ. P. 26(a)(3) and any objections to them.

16 **7. Alternative Dispute Resolution (LR 26-1(b)(7)):**

17 Counsel for the parties certify that they met and conferred about the possibility of using
18 alternative dispute resolution including mediation, arbitration and/or an early neutral evaluation. The
19 parties agree that an early neutral evaluation would not be effective at this time as the parties and their
20 counsel believe that it is necessary to conduct discovery before attempting to resolve this case. Counsel
21 further agree that a settlement conference will be beneficial after discovery is concluded. Finally, the
22 parties and their counsel are not interested in submitting this case to arbitration.

23 **8. Alternative Forms of Case Disposition (LR 26-1(b)(8)):**

24 The parties certify that they have considered consent to trial by a magistrate judge under
25 28 U.S.C. § 636(c) and Fed. R. Civ. P. 73 and the use of the Short Trial Program (General Order 2013-01)
26 but do not consent to those forms of dispute resolution at this time.

9. **Electronic Evidence (LR 26-1(b)(9)):**

The parties certify that they have discussed and intend to use electronic evidence at the trial of this matter and will ensure that said evidence is in an electronic format compatible with the Court's electronic jury evidence display system. At present, the parties have not agreed upon any stipulations regarding use of electronic evidence but will address this issue again in the Pre-Trial Order.

DATED this 15th day of June, 2022.

DATED this 15th day of June, 2022.

GINA CORENA & ASSOCIATES

BRANDON SMERBER LAW FIRM

By: /s/ Mahna Pourshaban, Esq.

By: /s/ Lew Brandon, Jr., Esq.

Gina M. Corena, Esq.

Lew Brandon, Jr., Esq.

Nevada Bar No. 10330

Nevada Bar No. 5880

Mahna Pourshaban, Esq.

Andrew Guzik, Esq.

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Nevada Bar No. 15231

Attorneys for Plaintiff

139 East Warm Springs Road

Las Vegas, NV 89119

Attorneys for Defendant

ORDER

IT IS SO ORDERED subject to the following deadline modifications. The deadlines for dispositive motions and the joint pretrial order have been miscalculated. Dispositive motions are due **April 12, 2023**. The Joint Pretrial Order is due **May 12, 2023**. If dispositive motions are filed, the deadline for filing the joint pretrial order will be suspended until 30 days after decision on the dispositive motions or further court order.

DATED: June 17, 2022



UNITED STATES MAGISTRATE JUDGE
HONORABLE DANIEL J. ALBREGTS

Maybelline Valle

To: April Rufus
Subject: RE: : 26(f) Conference Tatiana Martinez Santalla vs. 99 Cents Only Stores LLC

From: Mahna Pourshaban <Mahna@lawofficecorena.com>
Sent: Wednesday, June 15, 2022 8:27 AM
To: Andrew Guzik <a.guzik@bsnv.law>
Cc: Maybelline Valle <M.Valle@bsnv.law>; April Rufus <a.rufus@bsnv.law>; Eva Rodriguez Dhimi <eva@lawofficecorena.com>
Subject: RE: : 26(f) Conference Tatiana Martinez Santalla vs. 99 Cents Only Stores LLC

Hi Andrew,

You have permission to affix my e-signature and submit to the Court.

Thank you.

Best regards,



MAHNA POURSHABAN
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From: Andrew Guzik <a.guzik@bsnv.law>
Sent: Wednesday, June 15, 2022 8:11 AM
To: Mahna Pourshaban <Mahna@lawofficecorena.com>
Cc: Maybelline Valle <M.Valle@bsnv.law>; April Rufus <a.rufus@bsnv.law>; Eva Rodriguez Dhimi <eva@lawofficecorena.com>
Subject: RE: : 26(f) Conference Tatiana Martinez Santalla vs. 99 Cents Only Stores LLC

Mahna,

Please see the attached proposed discovery plan and revised joint status report. Please let my office know if we may submit the documents with your electronic signature.

Thank you,

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139 E. WARM SPRINGS RD.
LAS VEGAS, NEVADA 89119
TEL. 702-380-0007
FAX. 702-380-2964

From: Andrew Guzik
Sent: Tuesday, June 14, 2022 10:56 AM
To: Eva Rodriguez Dhimi <eva@lawofficecorena.com>; April Rufus <a.rufus@bsnv.law>
Cc: Mahna Pourshaban <Mahna@lawofficecorena.com>
Subject: RE: : 26(f) Conference Tatiana Martinez Santalla vs. 99 Cents Only Stores LLC

Please see the attached draft discovery plan and status report in preparation for tomorrow's conference.

Thanks

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From: Eva Rodriguez Dhimi <eva@lawofficecorena.com>
Sent: Tuesday, June 14, 2022 10:05 AM
To: Andrew Guzik <a.guzik@bsnv.law>; April Rufus <a.rufus@bsnv.law>
Cc: Mahna Pourshaban <Mahna@lawofficecorena.com>
Subject: RE: : 26(f) Conference Tatiana Martinez Santalla vs. 99 Cents Only Stores LLC

Thank you – I've updated our calendar.

From: Andrew Guzik <a.guzik@bsnv.law>
Sent: Tuesday, June 14, 2022 10:03 AM
To: Eva Rodriguez Dhimi <eva@lawofficecorena.com>; April Rufus <a.rufus@bsnv.law>
Cc: Mahna Pourshaban <Mahna@lawofficecorena.com>
Subject: RE: : 26(f) Conference Tatiana Martinez Santalla vs. 99 Cents Only Stores LLC

Yes, we'll move it to 8. Thanks

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From: Eva Rodriguez Dhimi <eva@lawofficecorena.com>
Sent: Tuesday, June 14, 2022 9:56 AM
To: April Rufus <a.rufus@bsnv.law>; Andrew Guzik <a.guzik@bsnv.law>
Cc: Mahna Pourshaban <Mahna@lawofficecorena.com>
Subject: RE: : 26(f) Conference Tatiana Martinez Santalla vs. 99 Cents Only Stores LLC

Good morning,

Mahna is currently in trial, would it be possible to move tomorrow's call to 8 a.m.?

From: April Rufus <a.rufus@bsnv.law>
Sent: Wednesday, June 1, 2022 11:45 AM
To: Eva Rodriguez Dhimi <eva@lawofficecorena.com>; Andrew Guzik <a.guzik@bsnv.law>
Cc: Mahna Pourshaban <Mahna@lawofficecorena.com>
Subject: RE: : 26(f) Conference Tatiana Martinez Santalla vs. 99 Cents Only Stores LLC

Will do. Thank you!

April Rufus, Paralegal
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From: Eva Rodriguez Dhimi <eva@lawofficecorena.com>
Sent: Wednesday, June 1, 2022 11:07 AM
To: Andrew Guzik <a.guzik@bsnv.law>
Cc: April Rufus <a.rufus@bsnv.law>; Mahna Pourshaban <Mahna@lawofficecorena.com>
Subject: Re: : 26(f) Conference Tatiana Martinez Santalla vs. 99 Cents Only Stores LLC

Good morning,

Please dial in Ms. Pourshaban at 619-261-7725 for the upcoming 26(f) Conference on June 15.

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